

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Plaintiff

vs.

CHARLES J. SCHOEFER

Defendant

CIVIL ACTION NO.

18-03822

PLAINTIFF'S CONCISE STATEMENT OF MATERIAL FACTS

The United States of America, by its specially appointed counsel, Rebecca A. Solarz, Esquire, KML Law Group, P.C., hereby submits this Statement of Material Facts in support of its Motion for Summary Judgment as follows:

1. On or about September 20, 1978; November 27, 1978; March 5, 1979; September 4, 1979; March 10, 1980; September 5, 1980; and March 23, 1981; Defendant executed Promissory Notes to secure payment of several Perkins Student loan from the U.S. Department of Education ("the Department") in the amount of \$500.00, \$500.00, \$500.00, \$1,500.00, \$1,500.00, \$2,000.00 and \$1,000.00, respectively, obtained from Northeastern University with interest payable thereon at 3% interest per annum.

2. Northeastern University made the loans under federally-funded National Defense/Direct Student Loan, now Perkins Student Loan, programs authorized under Title IV-E of the Higher Education Act of 1965, as amended, 20 U.S.C. 1087aa *et seq.* (34 C.F.R. Part 674).

3. Defendant defaulted on the loan obligations on May 16, 1987.

4. The loans were assigned to the Department on April 8, 1999.

5. The Department has credited a total of \$48.99 in payments from Treasury Department offsets to the balance.

6. After application of these payments, the Defendant still owes the United States

the sum of \$11,366.61 through June 11, 2018, with interest continuing to accrue at the current rate of \$0.47 per diem.

7. On or about October 11, 1978; October 15, 1979; and September 3, 1980, Defendant executed Promissory Notes to secure payment of a Philadelphia Higher Education Assistance Agency loan from the U.S. Department of Education (“the Department”) in the amounts of \$5,000.00, \$4,700.00 and \$5,000.00, respectively, obtained from Fidelity Bank, Philadelphia, PA with interest payable thereon at 7% interest per annum.

8. The loans were guaranteed by Pennsylvania Higher Education Assistance Agency, and then reinsured by the Department of Education under loan guaranty programs authorized under Title IV-B of the Higher Education Act of 1965, as amended, 20 U.S.C. 1071 *et seq.* (34 C.F.R. Part 682).

9. Defendant defaulted on the loan obligations on September 10, 1985.

10. The loans were assigned to the Department on February 27, 1995.

11. The Department has credited a total of \$201.01 in payments from Treasury Department offsets to the balance.

12. After application of these payments, the Defendant still owed the United States the sum of \$51,717.98 through June 11, 2018, with interest continuing to accrue at the current rate of \$3.06 per diem.

Respectfully submitted,

KML Law Group, P.C.

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